

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of New Mexico

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

JAN 31 2022

United States of America

v.

Shannon Nicole Etsitty
Year of Birth 2000

Case No.

22-MJ-136

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 16, 2021 in the county of McKinley in the
 District of New Mexico, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
Title 18 U.S.C. 1201(a)(1)	Kidnapping Resulting in Death

This criminal complaint is based on these facts:

Please see the attached affidavit that has been approved by Assistant United States Attorney Joseph Spindle

☒ Continued on the attached sheet.

~~Sworn to before me and signed in my presence.~~
 telephonically and submitted via email.

Date: January 31, 2022City and state: Farmington, New Mexico

Justin Tennyson

Complainant's signature

Justin Tennyson, Special Agent, FBI

Printed name and title

B. Paul Briones

Judge's signature

B. Paul Briones, US Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA

VS

Shannon Nicole Etsitty
Year of Birth 2000

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Case No. 22-MJ-136

AFFIDAVIT IN SUPPORT OF

ARREST WARRANT

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

I, the undersigned, being duly sworn, hereby depose and state as follows:

Introduction and Agent Background

1. Your affiant is a Special Agent (SA) of the Federal Bureau of Investigation (FBI) and has been employed in that capacity since July of 2014. Your affiant is currently assigned to the Albuquerque Division of the FBI, Gallup Resident Agency, and has primary investigative responsibility for crimes occurring within Indian Country, including violent crimes such as homicide, robbery, kidnapping, aggravated assault, sexual assault and narcotics violations. The information set forth in this affidavit has been derived from an investigation conducted by your affiant and/or communicated to him by other sworn Law Enforcement Officers. This affidavit is intended to show merely that there is sufficient probable cause for the requested Criminal Complaint for Shannon Nicole ETSITTY, Year of Birth (y.o.b.) 2000, and does not set forth all of my knowledge about this matter. During the course of the investigation the following information was obtained:

Probable Cause

2. On September 17, 2021 at approximately 4:04 p.m., W.K., hereafter John Doe or Doe, was reported missing by a family member to local authorities in Gallup, New Mexico. The reporting family member, Y.R., stated Doe was last seen on September 16, 2021 at around 11:00 p.m. at Y.R.'s residence in Gallup, New Mexico. The McKinley County Metro Dispatch Authority (MCMDA) contacted T-Mobile US, Inc., Doe's wireless carrier, who stated that John Doe's phone was turned off.

3. Y.R. was interviewed by a Detective at the Gallup Police Department on September 20, 2021. Y.R. stated that she had went to bed around 11:15 p.m. on September 16, 2021 and thought that Doe was home at the time. On September 17, 2021, Y.R. went about her daily activities and then her adult son, K.K., came over and had asked if Doe was there. K.K. told Y.R. that he had received a text message from Doe's girlfriend, D.B., that had asked where Doe was because she was last told by Doe that he was going to go with K.K. around 10:38 p.m. on September 16, 2021.

4. Y.R. and K.K. went into Doe's bedroom and noticed that his wallet was there, which Y.R. thought was odd, but Doe was not at the residence. K.K. told Y.R. that he had spoken with Doe in the afternoon on September 16, 2021.

5. On September 23, 2021, a person was observed laying in the field near County Road 1-C, commonly referred to as Tsayatoh Road, in Mentmore, New Mexico. The area is within the external boundaries of the Navajo Nation. Law enforcement arrived on scene and observed that the male had a tattoo on his left arm with the numbers "12" and "5". Doe's family members were contacted and they stated that Doe had the birthdate of his son tattooed on his left arm, which includes the numbers "12" and "5". Other identifying characteristics, such as height

and weight, appeared to be a match to Doe. Doe was pronounced deceased by the Office of the Medical Investigator (OMI) on September 23, 2021. The affiant received notification from the OMI on September 29, 2021 that Doe was positively identified via prints.

6. Doe had a hole in his chest. Doe was wearing a black shirt that was ripped on the right side and was pulled up to his chest area. The left pocket of his gray shorts was turned inside out. There were scratches on the right side of Doe's torso. There were dark colored hairs located in the left hand of Doe which were seized as evidence. Doe's cellular telephone was not located on him and it is unknown at this time where the cellular telephone is currently located. A black, size 11 Nike Metcon shoe was found near Doe's body. Doe was not wearing shoes when he was discovered.

7. On September 24, 2021, D.B. was interviewed by law enforcement at the Gallup Police Department (GPD). D.B. stated she had been in an on and off again relationship with Doe for around a year. D.B. stated she was in Farmington, New Mexico on September 16, 2021 as she works there through the week. D.B. was communicating with Doe during the day as well as in the evening on September 16, 2021. In the daytime, Doe and D.B. were arguing and Doe accused D.B. of not loving him but D.B. assured Doe that that wasn't the case. In the evening, Doe told D.B. that he was getting ready to go with his brother, K.K. The last communication that D.B. had with Doe was around 10:38 p.m.

8. On September 30, 2021, K.K. was interviewed by law enforcement. K.K. stated he had been with Doe in the afternoon of September 16, 2021 at K.K.'s residence. K.K. did not have any other plans to meet up with Doe that evening but was going to meet with him the following day. K.K. did not know who Doe would have been meeting with late at night.

9. The Report of Findings for Doe dated October 06, 2021, which was generated by OMI, revealed a manner of death as homicide and the cause of death as multiple injuries. The Postmortem Examination report stated that Doe was in a moderate state of decomposition. Decomposition changes limited the ability to detect and accurately characterize injuries. There was a stab wound of the chest that entered the thoracic cavity and injured the heart, left lung, and aorta, with pooling of blood in the left side of the chest. A large, gaping, indeterminate injury involved the skin and soft tissue of the back of the head, with fractures of numerous bones of the skull, and exposure of the brain to air. The brain had undergone extensive disruption and changes of decomposition. Additional injuries involved a defect to the forehead, small circular defects to the left side of the neck, and numerous fractures of the bones of the face.

10. On October 12, 2021, the affiant received the search warrant results (Case Number 21-MR-1396) from T-Mobile US, Inc. for Doe's cellular telephone account. The toll records revealed that Doe was in contact with a phone number, 505-713-0405, during the evening hours on September 16, 2021, before Doe went missing and was killed. A grand jury subpoena for the aforementioned telephone number revealed the subscriber to be Shannon ETSITTY. ETSITTY and Doe communicated via text message until approximately 10:37 p.m., which is around the time that D.B. was told that Doe was leaving his residence to go with K.K. ETSITTY's subscriber address is approximately one mile from the location of where Doe's body was found and is one of the few residences in the general area.

11. The Court issued a search warrant for text messages relating to ETSITTY's phone number from her service provider. On November 02, 2021, the affiant received the search warrant results (Case Number MR211574). A review of the text messages between ETSITTY and Doe revealed that they began to arrange a sexual meeting with each other on September 14,

2021. It is unknown if they met that night but ETSITTY stated that she wanted to “cuff” Doe, which the affiant believes meant that she wanted to handcuff Doe. Doe and ETSITTY again planned to meet during the evening of September 16, 2021 rather than Doe meeting with K.K. as he had told D.B. They began to exchange text messages with each other shortly after 6:00 p.m. as ETSITTY started the text message conversation with Doe. Seemingly, Doe believed that he was meeting ETSITTY to have sexual relations with her. At approximately 6:31 p.m., ETSITTY sent a text message to C.S. and asked if she had any more black gloves. The reply was that she didn’t and ETSITTY was asked why she had asked but ETSITTY did not reply via text message. C.S. is ETSITTY’s mother and is believed to be a maid or work in some type of janitorial capacity and would likely have black latex gloves to complete her duties.

12. In the text exchanges, ETSITTY agreed to have sex with Doe in her vehicle. Doe had told ETSITTY that he did not have a vehicle. Doe wanted to have sex in the parking lot of his apartment complex, but ETSITTY stated that she didn’t want to do that and wanted to “go somewhere dark to smash.” Affiant interprets the term “smash” was used to reference sexual relations. ETSITTY told Doe that she was by herself when asked by Doe and that she was currently on the north side and had her sister’s red car. It is noted that ETSITTY’s earlier messages to other individuals on September 16, 2021 revealed that she was with VIOLA at this time and that she wanted to obtain money because she was sober and needed to get some “more.” The affiant interprets this to mean ETSITTY wanted to obtain “more” drugs and/or alcohol.

13. On September 16, 2021, ETSITTY arranged to pick Doe up outside of his residence and text messaged Doe at approximately 10:25 p.m. that she was there in a red car and that it did not have a front windshield. Meanwhile, at approximately 10:34 p.m., the telephone number 505-593-0960 texted ETSITTY “?” A search warrant (Case Number 21-MR-1606)

revealed the subscriber of 505-593-0960 to be Elias VIOLA. McKinley County District Court records revealed that ETSITTY was in a relationship with a man named VIOLA. Doe responded to ETSITTY that he was waiting for her. At approximately 10:36 pm., ETSITTY again told Doe that she was going around the complex. At approximately 10:37 p.m., Doe stated that he was sitting in his friends ride and that ETSITTY had passed him. There is no indication that Doe was actually with anyone else when he stated this to ETSITTY. This was the last text message that Doe sent to ETSITTY and, therefore, the affiant believes that ETSITTY turned around and picked Doe up in the red vehicle.

14. Later that evening, at approximately 10:54 p.m., ETSITTY sent a text message to her sister, P.E. ETSITTY asked P.E. for help as they were stuck. At approximately 11:15 p.m., ETSITTY told P.E. that the cops were there and to be sober. According to McKinley County Sheriff's Office (MCSO) records, deputies arrived at the scene of a disabled car that matched the vehicle driven by ETSITTY around the time of this text.

15. The MCSO records reflected that on September 16, 2021, a reporting party said that there was a car in a ditch near the rock-climbing area off Mentmore Road. The reporting party said there was a shirtless guy standing near the car attempting to wave her down. The reporting party didn't want to stop, so she had called for assistance. The responding MCSO officer was dispatched near the rock-climbing area off of Mentmore Road to the area and arrived at approximately 11:09 p.m. The officer observed a red Chevrolet Aveo passenger car, without a windshield, bearing New Mexico license plate ASXR91, Vehicle Identification Number (VIN) KL1TD56668B112948. The car had crashed in the ditch. ETSITTY was by the driver side of the vehicle and VIOLA was on the passenger side. ETSITTY stated she was ok but VIOLA stated that his head was hurting and felt like he was going to pass out. ETSITTY stated they were

traveling westbound on Mentmore Road and a car was coming in their direction and they had swerved off the roadway to avoid hitting the other vehicle. ETSITTY stated she had called her sister to help tow them out.

16. The MCSO officer asked for registration paperwork for the vehicle. VIOLA stated that he had purchased the vehicle but he had not received the title yet. VIOLA expected the seller to mail some paperwork to him confirming the transaction.

17. The affiant spoke to the responding MCSO officer and he confirmed that ETSITTY's sister arrived at the crash site that evening. ETSITTY told the officer that she was going to her nearby home, since a family member was watching her child. ETSITTY and VIOLA's vehicle was towed back up to the roadway and they left in their vehicle.

18. The affiant reviewed the photographs and body camera footage taken after the crash involving ETSITTY and VIOLA by the MCSO on September 16, 2021. ETSITTY confirmed her cellular phone number was 505-713-0405. After the MCSO officer realized there was blood on the ground, the officer asked if one of them was bleeding. VIOLA stated he had a bloody nose. In the photographs, a reddish substance appears to be on the right side of the steering wheel, the gear selector between the driver and passenger seats, on the front passenger side floor mat, on the interior passenger side door, and on the interior passenger side window pillar. A dark substance was on the ground near the front passenger side door of the vehicle.

19. On November 03, 2021, the affiant went to the site of the aforementioned crash and conducted a search of the area. The location of the crash was approximately 1.8 miles from where Doe would have been picked up at his apartment complex according to the directions Doe had gave to ETSITTY via text message on September 16, 2021. A size 11 black Nike Metcon shoe and black cellular telephone case were seized as evidence. The shoe was approximately 31

feet from the tire tracks that were still on the ground from ETSITTY and VIOLA's vehicle being towed back to the roadway. The shoe appeared to be identical to the one that was seized on September 23, 2021 near Doe's body. Y.R. was contacted and confirmed to law enforcement that Doe was wearing size 11 black Nike Metcon shoes as she still had the receipt from when she had purchased them in December 2020. Therefore, law enforcement believes that one of Doe's shoes was near the location of Doe's body when it was discovered on September 23, 2021 and the other was discovered near where ETSITTY and VIOLA had crashed their vehicle on September 16, 2021.

20. Law enforcement has reviewed the text messages between ETSITTY and VIOLA. On September 14, 2021, which is two days prior to Doe's arranged meeting with ETSITTY, ETSITTY told VIOLA that she hasn't told her dad that they were talking and VIOLA's pickaxe and shovel were at her house. ETSITTY told VIOLA that there was a "fool" in Farmington, NM that was talking shit to her and tells VIOLA that "We need to get this mofo" and "I aint playing." ETSITTY later stated "Maybe gotta hide his body well aee see." The affiant believes that ETSITTY was telling VIOLA that she might kill this individual and hide his body. The affiant does not believe ETSITTY was referring to Doe when speaking about this individual as Doe did not live in Farmington, NM.

21. Early on September 22, 2021, which is a little over five days after Doe's arranged meeting with ETSITTY and the day prior to Doe's body being discovered, VIOLA asked if that dude from Farmington was still talking shit to ETSITTY. ETSITTY told VIOLA that she blocked him. VIOLA then stated, "Wha thought he was next." The affiant believes this conversation showed that VIOLA thought the individual from Farmington, NM was going to get killed next after the homicide of Doe.

22. In a text message exchange later that morning, ETSITTY asked VIOLA if he could come out sometime soon and “get the stuff yourself? Heard people are going to search that backroad today with atv and horses.” VIOLA responded, “Just leave it just let them get me I give up you got a whole life in head of you.” ETSITTY replied that she was praying things would be okay. Y.R. confirmed that they were using ATV’s and horses in the Mentmore, NM area to try and locate Doe in the days prior to Doe’s body being found. The affiant believes that this indicates that ETSITTY was concerned that Doe’s body was going to be found near her residence but VIOLA would take responsibility for the homicide of Doe, likely because ETSITTY is approximately nine years younger than VIOLA.

23. Later on September 22, 2021, H.S. began to communicate with ETSITTY and told her that they should get high. ETSITTY responded, “Fuck you” and the reply stated, “You can stab me if you want.” This was stated approximately a week after Doe had went missing and was later found with a stab wound.

24. On September 23, 2021, at approximately 11:22 a.m., ETSITTY sent a text message to H.S. and stated, “Elis ready to be picked up.” At approximately the same time, first responders would have been dispatched to the location of Doe’s recently discovered body and would have likely had to pass ETSITTY’s residence to respond to the scene. Therefore, the affiant believes that this text message indicates that VIOLA was present at ETSITTY’s residence when first responders began to arrive nearby and wanted to get away from the scene.

25. Later that day, ETSITTY had a conversation with P.E. The conversation appeared to be discussing Doe’s body being discovered by first responders/law enforcement and P.E. having the vehicle that ETSITTY had used:

- P.E. at 4:16 p.m.: You didn’t burn that shit?!

- P.E. at 4:22 p.m.: Yall are fucking me up dude.
- ETSITTY at 4:33 p.m.: Lmao do it then
- P.E. at 4:34 p.m.: Wtf man.
- ETSITTY at 4:36 p.m.: What lol all scared haha dude don't make a big deal about it.
- P.E. at 4:39 p.m.: Yeah Im scared. Theres a bunch of flies and that shit stinks. You should have bagged it and taken it with you. Fuck man. Im scared
- ETSITTY at 4:41 p.m.: Just burn it
- P.E. at 4:43 p.m.: Burn it while theres ppl and detectives driving by?? Ill burn it tonight. Do yall know where my tail light could be?? Im mainly worried about that

26. On September 25, 2021, H.S. texted ETSITTY about VIOLA. H.S. explained that VIOLA had dropped him off last night and that VIOLA thought that ETSITTY had snitched. ETSITTY replied that she wasn't a snitch and that VIOLA was the one that was, "telling that old lady that were involved in a murder."

27. On September 30, 2021, ETSITTY asked VIOLA if he knows an individual named R.T. VIOLA asked ETSITTY if he needed to "get got" because VIOLA would do anything for ETSITTY. The affiant believes that VIOLA was asking ETSITTY if R.T. needed to be killed by him (VIOLA).

28. On October 02, 2021, VIOLA sent a text message to ETSITTY that stated, "Did you see what I put on Facebook my psycho other half." Law enforcement reviewed the Facebook profile used by VIOLA and on October 02, 2021, VIOLA had posted, "BITCH I WILL PUT YOU IN A TRUNK AND HELP PEOPLE LOOK FOR YOU STOP PLAYING WITH ME." The post had three likes, one of which was by an account utilized by ETSITTY.

29. On October 18, 2021, VIOLA posted a picture on his Facebook page of the “Chucky” horror movie doll with another female doll that appears to have blood on her face and the caption states, “When the toxic couple take a photo together.” VIOLA commented “Haha that’s why me and my kitty don’t take pictures or tag each other together anymore cause we kill like crazy Aye.” The affiant knows the Chucky doll to be a character in the Child’s Play slasher film franchise and Chucky is a serial killer in the movies. The post had one like on it, which was by ETSITTY’s account. Another post on October 18, 2021 by VIOLA stated, “Going to be Micky on Halloween who wants to be my Mallory... Natural Born Killers.” This post also had one like it, which was by ETSITTY’s account. The affiant knows that Natural Born Killers is a film about two individuals, Mickey and Mallory, who are lovers and go on to become mass murderers with victims in New Mexico and other states.

30. On October 24, 2021, VIOLA has posted a picture of a male individual laying in what appears to be a hospital bed and a female is lying next to him with her head on his shoulder and they have their eyes closed. The caption of the picture states, “I want the type of girlfriend that will...STAB ME PUT ME IN THE HOSPITAL AND THEN STAY BY MY SIDE SO I DON’T SNITCH” and VIOLA had also placed the name of ETSITTY’s first name on the post.

31. On November 03, 2021, ETSITTY posted a comment on her Facebook wall about her being single. VIOLA commented, “hoo do I kill now.” On November 10, 2021, VIOLA posted, “Guess I was single for this past 3 mouths and I didn’t know about it here I been saying I miss my kitty Kat and we went threw a miscarriage last month and well guess them fuck boys in Gallup must be good but remember what happened to the last fuck boy you had. I don’t see him around haha god rest his soul when I am doing the Devil work when you mess with one of my

Baby momma's 100 Stay SICK'O All day." The affiant believes that VIOLA is referencing the murder of Doe in this post.

32. The Court issued a search warrant for VIOLA's text messages from his service provider. On November 12, 2021, the results of the search warrant (Case Number 21-MR-1606) served to Cellular One were received for VIOLA's cellular account. A review of the messages between ETSITTY and VIOLA revealed that on October 12, 2021, ETSITTY stated that that "fool" keeps popping up in her head. ETSITTY goes on to state, "They don't have any evidence or nothing. But he already put 6feet down." VIOLA advised ETSITTY not to think about it and ETSITTY stated, ... "it's the smell that I smell. Smells like that dudes blood and its just nasty." They go on to talk about ETSITTY being pregnant and VIOLA stated, "So is it mine or that dead guys that's probably why you tripping out." The affiant believes ETSITTY and VIOLA were discussing the murder of Doe during these text messages.

33. On October 14, 2021, VIOLA sent a text message to ETSITTY that stated, "Im the one always fucking up and killing for the wrong reason and not killing the one that needs to like me I should be dead." On October 15, 2021, ETSITTY asked VIOLA how he was doing and VIOLA replied, "Im doing ok kitty for real I just miss you and son like crazy my be you just worried about me seen how happy when I was killing and how I had a smile when I was doing it maybe." The affiant believes VIOLA was discussing the murder of Doe in these messages.

34. On October 16, 2021, ETSITTY stated to VIOLA, "I feel like killing kitty." The affiant notes that in reviewing the text messages between ETSITTY and VIOLA, they appear to call each other "kitty". VIOLA responded, "Kitty dont". ETSITTY replied, "Idk kitty." VIOLA replied, "Kitty Im be there for you no matter what you choose just make sure its what you really want to do kitty just think about it you know." ETSITTY replied, "Now you tell me that lol.

What about you lol, you didnt think about it before you did it. I just wanna go crazy.” ETSITTY goes on to state that she thanked VIOLA because she was someone else and not weak anymore. ETSITTY stated she felt like going on a crazy killing spree.

35. On October 22, 2021, VIOLA sent a text message to 505-593-1686 that stated, “Were tell him lets take in the red car ASAP.” The response was, “He said no gas but hes down.” VIOLA then text messaged ETSITTY that his plan was to take in the red car, which the affiant believes to be the same vehicle involved in the crash on September 16, 2021 involving ETSITTY and VIOLA. VIOLA then told ETSITTY at approximately 4:16 p.m. that he was towing in the car. ETSITTY stated, “Oh okay so you towed it in?” VIOLA stated that he had.

36. On October 23, 2021, ETSITTY sent a text message to VIOLA that discusses the “fool” pulling the wheel and getting them stuck. The affiant believes that ETSITTY is referencing Doe grabbing the steering wheel of their vehicle on September 16, 2021 which had caused the vehicle to crash and become stuck.

37. Affiant began contacting local tow lots to determine if they had acquired possession of the red car that ETSITTY and VIOLA had used on September 16, 2021. Affiant determined that the car was located at an auto salvage and recycling business near Gallup, New Mexico. The Manager of the business stated that the vehicle was turned in on October 25, 2021 and provided a receipt for the transaction to the affiant. The business was not able to locate a Bill of Sale for the vehicle.

38. On November 16, 2021, the affiant seized the vehicle that ETSITTY and VIOLA were using on September 16, 2021 from the recycling business. The vehicle had noticeable differences when viewed from the open front driver’s side window from how it had appeared on the MCSO officer’s body camera footage and photographs from the wreck on September 16,

2021. A broken front windshield had been taped on. There didn't appear to be any front floor mats. The front passenger door handle and hood had been removed. A white substance had been put on various places of the interior of the vehicle to include the steering wheel. The red substances that were visible on the steering wheel, gear selector, interior passenger door, and on the interior passenger side window pillar were no longer readily visible. A cotton swab was left on the front passenger seat.

39. The Court issued a search warrant (Case Number 21-MR-1648) for the red Chevrolet Aveo bearing New Mexico license plate ASXR91 with V.I.N. KL1TD56668B112948. Members of the FBI Albuquerque's Evidence Response Team (ERT) executed the search warrant on November 30, 2021. Blue-star reagent was utilized to locate possible blood evidence and indicated extensive probable blood evidence within the vehicle. Possible blood evidence was collected from the front passenger seat, door frame, headliner, rear passenger area, and trunk. Evidence of cleaning/wiping consistent with the cleaning/destruction of evidence was observed throughout the vehicle, particularly evident on hard surfaces. The back bench seat had been removed prior to the vehicle's seizure and was not available for examination. The hood had been placed in the interior of the vehicle prior to the vehicle's seizure. The letters "ESV" and "Sick'o" were written on the vehicle's hood in what appears to be a spray paint like substance. The letters written on the hood are the same initials as VIOLA.

40. The Court issued a search warrant for VIOLA's Facebook account. On November 24, 2021, the results of the search warrant (Case Number 21-MR-1613) were received. A review of the messages between VIOLA and ETSITTY revealed that on November 03, 2021 they were arguing with each other. VIOLA stated, "U was the one liein to me and I had to kill that fucker and more needs to come." ETSITTY's response was, "Uhkay see you keep bringing that shit up

and that's the reason why I ain't want you no more. You bring up old shit way to much and I'm not trying to live the rest of my life in the past." The affiant believes that VIOLA referenced killing Doe and ETSITTY acknowledging it but not wanting to talk about it.

41. Later that day, ETSITTY sent a Facebook message to VIOLA that stated, "Nah it was brought up to me today. And you know I would've stabbed helbee if he ever hit on me and shit you know that straight up! Don't question my loyalty when your the one who ruined everything. When your the one telling that old lady were involved in a murder and had the fucking balls to tell helbee that I was the fucking snitch! THE FUCK. DO WHATEVER THE FUCK YOU WANT IM SERIOUSLY DONE ¹⁰⁰ ALL I WANT IS MY SON TO HOLD ME AND WIPE MY TEARS BECAUSE HES THE ONLY MAN IN MY LIFE THAT TRULY LOVES ME." The affiant believes that ETSITTY was referencing the murder of Doe and that VIOLA had told someone else about them committing it.

42. The Court issued a search warrant for ETSITTY's Facebook account. On December 22, 2021, the results of the search warrant (Case Number 21-MR-1613) were downloaded. ETSITTY was observed to be in several Facebook groups that reference missing people to include the following: Missing Person in New Mexico and United State, BeUnited Missing Persons – California, Arizona, Missing Flowers MMIWM – Missing Murdered Indigenous Women & Men, and Missing & Murdered Indigenous Relatives No Borders. ETSITTY added the following to her profile between September 27, 2021 through October 26, 2021: McKinley County Sheriff's Office, Help Find Missing – Laverda Sorrell, Missing Persons Of The 21 Pueblos, Unidentified Indigenous Relatives, McKinley County Fire & EMS, ABQ Auto Salvage & Recycling, Gallup, New Mexico – Missing Persons, Shiprock Police Department Navajo Nation, Navajo Police Department Recruitment, and Help Find Missing – Jamie Yazzie

43. On September 02, 2021, ETSITTY had posted a status update that referenced driving around without a front windshield. On that same update, ETSITTY went on to state, “#FUHHKKINN!SHANNONANDELIA!!ONLYNIGGASTHATDONTGIVEAFUCK&DOST OOPIDSHIT”.

44. On December 02, 2021, ETSITTY was messaging with P.E.. and was discussing an online argument she was having with someone. P.E. told ETSITTY that she should “test her then lmfao”. ETSITTY replied that she wanted to “but something is telling me no because Im going to go psycho and have fun with this body kinda making me excited I need to let out some emotions.” The affiant believes ETSITTY was discussing killing the individual she was having an online argument with.

45. The affiant sent various evidence items that have been seized in the investigation, to include items seized from the search of the red Chevrolet Aveo, to the FBI Laboratory in Quantico, VA in December 2021 for examination. The results are currently pending.

46. Law enforcement contacted a representative at General Motors and inquired about the aforementioned red Chevrolet Aveo with V.I.N. KL1TD56668B112948. Law enforcement was informed that the vehicle was built in GM’s Bupyeong 1, Korea plant on October 19, 2007. The vehicle was imported to the United States on/around September 27, 2007 and arrived in the San Francisco Bay area. After arrival to the United States, the vehicle was delivered to a business in California. The vehicle had warranty service from a business in Albuquerque, NM in 2010. The affiant therefore believes that ETSITTY willfully and unlawfully seized, confined, inveigled, decoyed, kidnapped, abducted, and carried away Doe, and otherwise held him for her own benefit and purpose, and used and caused to be used an instrumentality of interstate

commerce, namely, a Chevrolet Aveo motor vehicle, in committing and in furtherance of the commission of kidnapping, which resulted in the death of Doe.

Conclusion


47. In view of the above facts, your affiant submits there is probable cause to believe that Shannon N. ETSITTY violated Title 18 United States Code (USC) § 1201(a)(1) – Kidnapping Resulting in Death, on or about September 16, 2021. The incident is believed to have occurred in McKinley County in the District of New Mexico.

48. Assistant United States Attorney Joseph Spindle has reviewed and approved this affidavit for legal sufficiency.

Respectfully Submitted,


SA Justin Tennyson

Telephonically sworn and electronically signed before me this 31st day of January 2022


United States Magistrate Judge

